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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/382,425	08/24/1999	JEFFRY JOVAN PHILYAW	PHLY-24.734	5219

25883 7590 11/08/2002

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EXAMINER

SHERR, CRISTINA O

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 11/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/382,425

Applicant(s)

MATHEWS ET AL.

Examiner

Cristina O Sherr

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1, 2, 7, 9 and 10 in this action have been amended. Further new claims 11 – 19 have been added. Thus, claims 1 – 19 are pending in this action.

Response to Arguments

2. Applicant's arguments filed 12 August 2002 have been fully considered, but they are not persuasive. Applicant argues that that Perkowski discloses no step of scanning nor does it illustrate the step of automatically or directly interconnecting the user location to the destination location in response to the step of scanning. Examiner respectfully directs Applicant to Perkowski Col. 3 In 12-20 and Col. 9 In 65 – Col 10 In 11.

3. Applicant further requests that Examiner read and consider Applicant's Information Disclosure statement. Currently, no such IDS form appears in the file. Applicant is requested to verify and resubmit an IDS form corresponding to any references not listed as considered by the Examiner. The Office regrets any inconvenience caused to Applicant.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1- 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski (US 5,918,214A).

6. Perkowski teaches a method for interfacing a user location on a network to a destination location on the network, comprising the steps of:

scanning a bar code having product information contained therein 5 relating to an associated product, which bar code has no network routing information contained therein (Col. 3 In 12-20);

extracting product information contained within the bar code (Col. 3 In 12-20);

defining routing information over the network from the user location to the destination location in response to the steps of scanning and extracting, which routing information defines the location of the destination location on the network (Col. 9 In 65 – Col 10 In 11);

interconnecting the user location to the destination location in accordance with the defined routing information (Col. 9 In 65 – Col 10 In 11);

further the comprising the steps of receiving information from the destination location in response to interconnecting thereto and displaying the received information (Col 10, In 25-60);

wherein the bar code is disposed on or in close association with the associated product.

wherein the bar code comprises a UPN bar code (Col. 9 In 65 – Col 10 In 3);

wherein the step of defining the routing information comprises defining a universal resource locator (URL) of the destination location over the network in response to the step of scanning and extracting (Col 10, In 63 – Col 11 In 7);

wherein the step of defining routing information comprises the step of determining the existence of predetermined association between the scanned bar code and routing information for the destination location on the network (Col 12 ln 37-50);

wherein the step of determining the predetermined association comprises the step of accessing a database of a plurality of predetermined associations between a plurality of bar codes and associated routing information and determining if there is a corresponding bar code in the database (Col 12 ln 37-50);

wherein the step of accessing comprises the steps of:

transmitting the extracted information from the bar code to an intermediate location on the network (Col 12, ln 30-36);

providing an associative database at the intermediate location, which associative database

has stored therein the plurality of bar codes and associated routing information (Col 12, ln

30-36);

comparing the extracted information in the bar code received at the intermediate location

with the database (Col 12, ln 30-36); and

if there is a corresponding bar code in the database to the extracted information in the bar

code, returning the routing information to the user's location (Col. 12 ln 51-60).

7. Perkowski does not, however, disclose the method described above wherein the

bar code comprises an ISBN bar code or an EAN bar code. However, it would be obvious to one of ordinary skill in the art to combine the method above with either an ISBN or an EAN bar code, as easily as with the UPN bar code described above for greater flexibility in the use of the system.

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

9. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina O Sherr whose telephone number is 703-305-0625. The examiner can normally be reached on Monday through Friday 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are 703-

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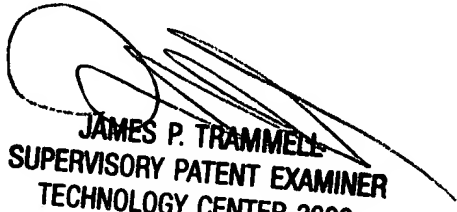
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305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

November 4, 2002


JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600